

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

TRACEY W. MOSELEY, JR.

v.

GOVERNMENT NATIONAL MORTGAGE
ASSOC. (GNMA), et al.

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CIVIL NO. CCB-13-134

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MEMORANDUM

Plaintiff Tracey W. Moseley, Jr., representing himself, filed suit in Baltimore City Circuit Court against Government National Mortgage Association (“GNMA”) and Mortgage Electronic Registration Systems, Inc. (“MERS”). Moseley seeks injunctive relief ordering “reduced principal balance and lower interest rate” and to “quiet title” related to a “refinance deed of trust.” The defendants removed the case to this court on the basis of diversity jurisdiction and filed a motion to dismiss. Moseley has opposed the motion to dismiss and filed a motion for remand.

First, the motion for remand will be denied. The defendants are not citizens of Maryland, and the value of the house (and the deed of trust) at issue in this case is more than \$75,000. The requirements for diversity jurisdiction are satisfied. *See* 28 U.S.C. § 1332.

Second, the motion to dismiss will be granted. As demonstrated by the record, J.P. Morgan Chase, as servicing agent for GNMA, is the “holder” of the Note and is entitled to enforce the Deed of Trust. Moseley has no basis for the relief he seeks from this court.

A separate Order follows.

February 13, 2013
Date

/s/
Catherine C. Blake
United States District Judge